IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPEAL NO:

In Re Application of: HAYNES, Thomas R. et al.

Confirmation No.: 9390

Serial No: 10/717,888

Filed: November 20, 2003

For: METHOD AND SYSTEM FOR FILTERING THE DISPLAY OF FILES IN GRAPHICAL INTERFACES

SUPPLEMENTAL APPEAL BRIEF

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TOPICAL INDEX

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In Re Application of:	Date: April 22, 2008
Thomas R. Haynes, et al.	Confirmation No: 9390
Serial No: 10/717,888	Group Art Unit: 2179
Filed: November 20, 2003	Examiner: Wiener, Eric A.

For: METHOD AND SYSTEM FOR FILTERING THE DISPLAY OF FILES IN GRAPHICAL INTERFACES

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Commissioner for Patents
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SUPPLEMENTAL APPEAL BRIEF

Sir:

Appellant herein files a supplemental, replacement Appeal Brief drafted in accordance with the provisions of 37 C.F.R. § 1.192(c).

This is a corrected Appeal Brief in response to the Notification of Non-Compliant Appeal Brief mailed December 27, 2007.

I. REAL PARTY IN INTEREST

Appellant respectfully submits that the above-captioned application is assigned, in its entirety to International Business Machines Corporation, of Armonk, New York.

II. RELATED APPEALS AND INTERFERENCES

Appellant states that, upon information and belief, he is not aware of any co-pending

appeal or interference which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Application No. 10/717,888 (the instant application), as originally filed, included claims 1-59. Claims 1-3, 5-15, 18-27, 29-37, 39-48, 50-53, and 55-66 are pending. In an Amendment dated January 1, 2007, claims 1, 3, 9, 12-14, 22-26, 29, 31, 33-36, 39, 41, 43-46, 48, 50-53, and 55-59 were changed, claims 4, 16-17, 28, 38, 49, and 54 were cancelled, and claims 60-66 were added. Claims 1-3, 5-15, 18-27, 29-37, 39-48, 50-53, and 55-66 are on appeal and all applied rejections concerning these claims are herein being appealed herein.

IV. STATUS OF AMENDMENTS

After the Examiner's first Office Action mailed January 1, 2007, Appellant filed a response on April 30, 2007, in which claims were amended and remarks were presented. The Examiner responded with a Final Office Action mailed on July 13, 2007, in which new grounds of rejection were presented. In response to the Final Office Action, Appellant has filed this Appeal Brief.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention provides a method and apparatus for using filtering criteria in the display of file objects in a graphical user interface. Independent claim 1 recites a method in which a plurality of selectable items responsive to user input are displayed (page 7, lines 4-14 of specification), where each of the selectable items describes a different filtering criterion and

corresponds to a different range of values, and the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects (page 8, lines 17-23 and page 9, lines 1-13). The user input is received from a user to at least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects (page 7, lines 4-14). The display of the file objects in the file object set is filtered according to the user input and the at least one selected item (page 7, lines 4-14; page 13, lines 17-23; page 15, lines 14-18).

Independent claim 14 recites a method including receiving a selection from a user of a characteristic of the file objects displayed in the GUI (page 7, lines 4-14; page 13, lines 1-3). A menu of selectable filtering criteria for the selected characteristic is displayed, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input (page 13, lines 3-7), wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display (page 8, lines 17-23 and page 9, lines 1-13). The display of the file objects is filtered according to the filtering criteria selected by the user as applied to the characteristic of the file objects (page 7, lines 4-14; page 13, lines 17-23; page 15, lines 14-18).

Independent claim 26 recites a computer readable medium containing program instructions allowing filtering criteria to be applied in the display of file objects in a graphical user interface (GUI), where a plurality of selectable items responsive to user input are displayed (page 7, lines 4-14), where each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects (page 8, lines 17-23 and page 9, lines 1-13). The user input is received from a user to at

least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects (page 7, lines 4-14). The display of the file objects in the file object set is filtered according to the user input and the at least one selected item (page 7, lines 4-14; page 13, lines 17-23; page 15, lines 14-18).

Independent claim 36 recites a system for providing or implementing filtering criteria in the display of file objects in a graphical user interface, including a mechanism that displays a plurality of selectable items responsive to user input (page 7, lines 4-14), where each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects (page 8, lines 17-23 and page 9, lines 1-13). A mechanism receives the user input from a user to at least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects (page 7, lines 4-14). A mechanism filters the display of the file objects in the file object set according to the user input and the at least one selected item (page 7, lines 4-14; page 13, lines 17-23; page 15, lines 14-18).

Independent claim 46 recites a computer readable medium containing program instructions allowing filtering criteria to be applied in the display of file objects in a graphical user interface (GUI), where a selection is received from a user of a characteristic of the file objects displayed in the GUI (page 7, lines 4-14; page 13, lines 1-3). A menu of selectable filtering criteria for the selected characteristic is displayed, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input (page 13, lines 3-7), wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display (page 8, lines 17-23 and page 9, lines 1-13). The display

of the file objects is filtered according to the filtering criteria selected by the user as applied to the characteristic of the file objects (page 7, lines 4-14; page 13, lines 17-23; page 15, lines 14-18).

Independent claim 53 recites a system for providing or implementing filtering criteria in the display of file objects in a graphical user interface, including means for receiving a selection from a user of a characteristic of the file objects displayed in a navigation window of the GUI (page 7, lines 4-14; page 13, lines 1-3). Means are included for displaying a menu of selectable filtering criteria for the selected characteristic, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input (page 13, lines 3-7), wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display (page 8, lines 17-23 and page 9, lines 1-13). Means are included for filtering the display of the file objects according to the filtering criteria selected by the user as applied to the characteristic of the file objects (page 7, lines 4-14; page 13, lines 17-23; page 15, lines 14-18).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-3, 5-12, 14, 15, 18-23, 26, 27, 29-34, 36, 37, 39-44, 46-48, 50, 53, and 55-57 stand rejected under 35 U.S.C. § 102(b) as being anticipated by De Vorchik et al. (U.S. Patent No. 6,279,016) (hereinafter "De Vorchik").

Claims 13, 24, 25, 35, 45, 51, 52, and 58-66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over De Vorchik.

VII. ARGUMENT

A. Rejection of claims 1-3, 5-12, 14, 15, 18-23, 26, 27, 29-34, 36, 37, 39-44, 46-48, 50, 53, and 55-57 under 35 U.S.C. 102(b) as being anticipated by De Vorchik

1. The De Vorchik Reference Does Not Teach Claims 1, 2, 5-10, 14, 15, 18-22, 26, 27, 29-32, 36, 37, 39-42, 46-48, 53, and 55

Unpatentability by anticipation under 35 U.S.C. 102(b) requires that the subject matter of the invention be disclosed in a publication. Independent claim 1 recites a method for providing an index to linked sites on a web page. In particular, claim 1 recites, in pertinent part:

> 1. A method for using filtering criteria in the display of file objects in a graphical user interface (GUI), the method comprising:
> displaying a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects;
> receiving the user input from a user to at least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects; and
> filtering the display of the file objects in the file object set according to the user input and the at least one selected item.

Claim 1 is patentable over De Vorchik since the features of claim 1 are not disclosed or suggested by that reference. In particular, De Vorchik fails to teach or suggest the recited feature of each selectable item describing a different filtering criterion and corresponding to a different range of values, where the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects.

De Vorchik discloses a method of filtering a data set in which the user may select attributes of a data set and filter the data set in a displayed control. A number of attributes and headings (labels) are displayed for the attributes of a displayed data set, where the attributes are displayed in a user interface window in different columns having the headings. De Vorchik allows a user to input textual query terms and also includes attribute comparison mode selections in a pulldown menu (Figs. 5-9B), non-textual selections in a pulldown menu (Fig. 10), unique value selection in a pulldown menu (Fig. 11), and calendar date selection in a menu (Figs. 14-15).

De Vorchik does not disclose or suggest Appellant's method of using filtering criteria in the display of file objects in a GUI. Specifically, De Vorchik does not disclose or suggest that each selectable item corresponds to a different range of values, where the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects, as recited in claim 1. For example, with reference to Figs. 6-8, De Vorchik shows that a header's menu button can be selected to display a pulldown menu listing a number of comparison modes by which a filter can be applied to the data set based on an input term (col. 7, lines 25-60). However, each selectable item does not correspond to a different range of values. These items merely specify conditions by which the user will filter the items based on input text as shown in Figs. 6-9B. Furthermore, the items in the menu are not based on the file objects present in the filtered file object set; these menu items modify the filtering performed using input text and are independent of the data set.

With reference to Fig. 10, De Vorchik discloses a control which includes a color menu that is displayed as a pulldown menu. The color menu "presents a 2D spectrum of color choices" (col. 9, lines 42-45) that allows a user to select non-textual query terms for the attribute to filter the data set. This color menu does not include each selectable item corresponding to a different range of values—rather, each color is a single value. Furthermore, there is no mention that the

color items in the menu are based on the file objects present in the data set. De Vorchik does not specify any details about how this color menu is determined. The menu appears to always include the entire color spectrum to present the user with the ability to select any desired color choice, regardless of the data set to be filtered, and thus is independent of the data set.

With respect to Fig. 11, De Vorchik discloses a unique value list menu displayed when a header is selected. This menu includes a number of unique values for an attribute included in the data set. However, these selectable menu items do not each correspond to a different range of values, as recited in claim 1. Each menu item is a single value for that attribute, not a range of values.

With reference to Figs. 14 and 15, De Vorchik discloses a separate calendar window when a header is selected. The user can select one or more dates in the calendar window to filter the data set. However, each item in this calendar is not a different range of values as recited in claim 1; each item is a single date. Furthermore, the calendar dates in the window are not based on the file objects present in the filtered file object set. De Vorchik's calendar window always displays the same standard calendar days to select from regardless of the data to be filtered, and does not have selections with different ranges based on the data set to be filtered (col. 10, lines 11-19).

Applicant's invention has an advantage of providing selections for different ranges of values that correspond to the file object set that is to be filtered, so that, for example, particular ranges of the selections from which the user can select are more relevant to the file objects and thus it is easier to find a desired filtering range.

In the Final Office Action, the Examiner stated that in Fig. 10, for example, the different headings or menu buttons "Agency," "Color," "Model," and "Price" correspond to a plurality of selectable items describing different filtering criterion corresponding to a different range of values.

However, De Vorchik's headings (or their associated pulldown menu buttons) are not a plurality of selectable items, each item corresponding to a different range of values based on the file objects being filtered for display. De Vorchik's headings/buttons are displayed at the top of a column that displays a particular type of attribute for items in the displayed data set. The headings themselves do not correspond to a range of values, but simply designate a type of attribute that will be displayed in a column underneath that heading for the displayed items.

De Vorchik's pulldown menu buttons associated with the headings also do not read on this feature of claim 1. For example, the items in the pulldown menu shown in Fig. 11 do not constitute a range of values, but are only particular independent unique values found in the data set. In addition, the color menu of Fig. 10 and the calendar of Figs. 14-15 do not display ranges of values that are based on the data set being filtered. As explained above, the color menu and calendar provide predetermined selections that are not based on the file objects being filtered for display.

In addition, no details of the "Agency," "Model," and "Price" headings or their menu buttons of Fig. 10 are provided by De Vorchik. Since only specifically-described "custom" control menus appear to be different from the standard filter menus of Figs. 5-9B (such as the color and calendar menus), and since the "Agency," "Model," and "Price" headings are not mentioned at all by De Vorchik in the textual description, these menus and any other undescribed headings are understood to function like all the other standard filter menus of Figs. 5-9B. As explained above, the standard menus of Figs. 5-9B do not display ranges of values that are based on the file objects being filtered for display.

Therefore, nowhere does De Vorchik disclose or suggest the invention of claim 1 in which different ranges of values are selectable and are based on the file objects to be filtered and correspond to selectable items to be used for filtering.

The arguments made above apply with full force and effect to dependent claims 2 and 5-12 because dependent claims incorporate the limitations of the independent claims. In addition, for example, claim 9 is further patentable over De Vorchik since De Vorchik does not disclose an input field displaying a text description equivalent to the at least one selected item of the menu selected by the user (col. 10, lines 11-18 cited by the Examiner merely describes filtering after each keystroke of input).

Claim 14 recites, in pertinent part:

> 14. A method for using filtering criteria in the display of file objects in a graphical user interface (GUI), the method comprising:
> receiving a selection from a user of a characteristic of the file objects displayed in the GUI;
> displaying a menu of selectable filtering criteria for the selected characteristic, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display; and
> filtering the display of the file objects according to the filtering criteria selected by the user as applied to the characteristic of the file objects.

Claim 14 is patentable over De Vorchik since the features of claim 14 are not disclosed or suggested by that reference. In particular, De Vorchik fails to teach or suggest the recited feature of a menu of selectable filtering criteria for a selected characteristic, where the selectable filtering criteria include a plurality of selectable items responsive to user input, each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and the different ranges of values for the selectable items are based on the file objects that are being filtered for display. De Vorchik neither discloses nor suggests these features for reasons similar to those argued above for claim 1. Appellant therefore believes that claim 14 is patentable over De Vorchik.

The arguments made above apply with full force and effect to dependent claims 15 and 18-

22 because dependent claims incorporate the limitations of the independent claims.

Claims 26 and 46 recite computer readable mediums including program instructions that perform similar features as claims 1 and 14, respectively, and are patentable over De Vorchik for reasons similar to those explained above for claims 1 and 14. The arguments made for claims 26 and 46 apply with full force and effect to dependent claims 27, 29-32, 47, and 48 because dependent claims incorporate the limitations of the independent claims, and thus claims 27, 29-32, 47, and 48 are patentable over De Vorchik. In addition, for example, claim 31 is further patentable over De Vorchik as similarly argued above for claim 9.

Claim 36 recites, in pertinent part:

> 36. A system for providing filtering criteria in the display of file objects in a graphical user interface (GUI), the system comprising:
>
> a mechanism that displays a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects;
>
> a mechanism that receives the user input from a user to at least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects; and
>
> a mechanism that filters the display of the file objects in the file object set according to the user input and the at least one selected item.

Claim 36 is patentable over De Vorchik since the features of claim 36 are not disclosed or suggested by that reference. In particular, De Vorchik fails to teach or suggest a mechanism that displays a plurality of selectable items responsive to user input, where each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects. Claim 36 is thus patentable over De Vorchik at least for reasons similar to those discussed above for claim 1.

The arguments made above apply with full force and effect to dependent claims 37 and 39-

42 because dependent claims incorporate the limitations of the independent claims. In addition, for example, claim 41 is further patentable over De Vorchik as similarly argued above for claim 9.

Claim 53 recites, in pertinent part:

> 53. A system for implementing filtering criteria in the display of file objects in a graphical user interface (GUI), the system comprising:
> means for receiving a selection from a user of a characteristic of the file objects displayed in a navigation window of the GUI;
> means for displaying a menu of selectable filtering criteria for the selected characteristic, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display; and
> means for filtering the display of the file objects according to the filtering criteria selected by the user as applied to the characteristic of the file objects.

Claim 53 is patentable over De Vorchik since the features of claim 53 are not disclosed or suggested by that reference. In particular, De Vorchik fails to teach or suggest means for displaying a menu of selectable filtering criteria for the selected characteristic, where the selectable filtering criteria includes a plurality of selectable items responsive to user input, each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and the different ranges of values for the selectable items are based on the file objects that are being filtered for display. Claim 53 is thus patentable over De Vorchik at least for reasons similar to those discussed above for claim 14.

The arguments made above apply with full force and effect to dependent claim 55 because dependent claims incorporate the limitations of the independent claims.

Consequently, De Vorchik cannot teach or suggest the subject matter recited in claims 1, 2, 5-10, 14, 15, 18-22, 26, 27, 29-32, 36, 37, 39-42, 46-48, 53, and 55. Accordingly, Appellant respectfully requests that the Board reverse the final rejection of these Claims.

2. The De Vorchik Reference Does Not Teach or Suggest Claims 3, 11, 12, 23, 33, 34, 43, 44, 50, 56 and 57

Claim 3 is dependent on claim 2, which recites:

2. The method of claim 1 wherein the user input includes an initial selection by the user of a label object displayed in the GUI and associated with a particular characteristic of the file objects.

Claim 3 recites:

3. The method of claim 2 wherein a menu including the plurality of selectable items is displayed after an initial selection of the label object.

Claim 3 is separately patentable over De Vorchik. Claim 3 recites that a menu including the plurality of selectable items is displayed after an initial selection of a label object. The Examiner states that De Vorchik's pulldown menu button associated with a heading (such as button 342 in Fig. 10) reads on the recited label object of claim 3.

However, if the Examiner has cited the same menu buttons to read on the plurality of selectable items recited in claim 1, then this is a double inclusion of the pulldown menu buttons of De Vorchik. The label object and the plurality of selectable items are distinct, different elements in the claim and cannot read on the same pulldown menu buttons of De Vorchik.

It is unclear whether the Examiner has cited only the headings themselves to read on the selectable items recited in claim 1 (such as the headings 320 and 322 of Fig. 3). If so, and the menu button 342 reads on the label object of claim 3, then the headings themselves do not read on the selectable items of claim 1, because these headings are only labels and have no responsiveness to user input as recited in claim 1. It is the menu button of De Vorchik that is responsive to user input, not the heading (col. 7, lines 25-30).

Furthermore, if the menu buttons of De Vorchik are read on the plurality of selectable items of claim 1, then the label object of claim 3 is not disclosed or suggested by De Vorchik, since De

Vorchik does not disclose or suggest displaying his menu button after the selection of a label object associated with a particular characteristic of the file objects; the menu button is always displayed in De Vorchik's interface. If the menu buttons of De Vorchik are read on the label object of claim 3, then the plurality of selectable items recited in claim 1 are not disclosed by De Vorchik, since De Vorchik does not disclose or suggest each selectable item in his menu corresponding to different range of values, where the different ranges of values are based on the file objects present in a file object set that is being filtered for display, similarly as argued above with reference to claim 1.

Applicant therefore believes that claim 3 is patentable over De Vorchik. The arguments made above apply with full force and effect to claims 11 and 12 that are dependent on claim 3, because dependent claims incorporate the limitations of their parent claims.

Claim 23 recites:

23. The method of claim 15 wherein the selectable items in the displayed menu are based on the particular label object that was selected, and wherein the different ranges of values for the selectable items are based on values of a characteristic of the file objects being filtered, wherein the characteristic is associated with the selected label object.

Claim 23 is patentable over De Vorchik for reasons similar to those argued above for claim 3. For example, the selectable items and the label object cannot both read on the pulldown menu buttons of De Vorchik, and De Vorchik does not disclose or suggest the selectable items and label object recited in claim 23.

Claims 33 and 50 recite computer readable mediums including program instructions that perform similar features as claims 3 and 23, respectively, and are patentable over De Vorchik for reasons similar to those explained above for claims 3 and 23. The arguments made for claims 33 and 50 apply with full force and effect to dependent claim 34 because dependent claims incorporate the limitations of the independent claims, and thus claim 34 is patentable over De Vorchik.

Claims 43 and 56 recite systems including similar features as claims 3 and 23,

respectively, and are patentable over De Vorchik for reasons similar to those explained above for claims 1 and 14. The arguments made for claims 43 and 56 apply with full force and effect to dependent claims 44 and 57 because dependent claims incorporate the limitations of the independent claims, and thus claims 44 and 57 are patentable over De Vorchik.

Consequently, De Vorchik cannot teach or suggest the subject matter recited in claims 3, 11, 12, 23, 33, 34, 43, 44, 50, 56 and 57. Accordingly, Appellant respectfully requests that the Board reverse the final rejection of these Claims.

B. Rejection of claims 13, 24, 25, 35, 45, 51, 52, and 58-66 under 35 U.S.C. 103(a) as being unpatentable over De Vorchik

1. The De Vorchik Reference Does Not Teach or Suggest Claims 13, 24, 25, 35, 45, 51, 52, and 58-60

Unpatentability by obviousness under 35 U.S.C. 103(a) requires that the subject matter of the invention would have been obvious to one of ordinary skill in the pertaining art at the time the invention was made. Claim 13 recites, in pertinent part:

> 13. The method of claim 1 wherein the different ranges of values for the selectable items are based on actual ranges of an associated characteristic of the file objects of the file object set.

Claim 13 is patentable over De Vorchik since the features of claim 13 are not disclosed or suggested by those references. In particular, De Vorchik fails to teach or suggest the recited features of the different ranges of values for the selectable items being based on actual ranges of an associated characteristic of the file objects of the file object set.

The Examiner stated that De Vorchik discloses values for the selectable items based on actual values of an associated characteristic of file objects of the file object set. However, as explained in the arguments above with reference to claim 1, De Vorchik does not disclose different ranges of values for selectable items, the different ranges of values based on the file objects being filtered.

The Examiner stated that De Vorchik does not explicitly disclose that the different ranges of values for the selectable items are based on the actual values of the associated characteristics of the file objects, but that it would have been obvious to take into account actual values of associated characteristics in determining ranges of values for selectable items, because specific values to use for filtering may correspond to values within a range, and therefore a specific range to be filtered would be an obvious modification.

However, although specific values to use for filtering may correspond to values within a range, it is not obvious to use different ranges of values, based on actual ranges of characteristics of file objects to be filtered, as selectable items for filtering criteria as recited in claim 13. Nowhere does De Vorchik disclose or suggest the ability to filter based on selected items corresponding to value ranges that are based on actual ranges of file object characteristics. De Vorchik discloses the ability to filter values, but he completely fails to disclose or suggest filtering using selectable items that correspond to ranges of values based on the actual ranges of filtered data object characteristics, as explained above. Nothing in De Vorchik would lead one to implement the ranges recited in claim 13, since De Vorchik is directed to user text input filtering, single type filtering, and custom menus having predetermined values.

De Vorchik misses a beneficial ability to, for example, provide the user with easy-to-select different filtering ranges that are based on the actual values of the file objects, e.g., when the user is filtering numeric values that vary in occurrence over a range. De Vorchik's methods

do not allow the user to select from ranges that pertain to the actual values of the file objects, and De Vorchik's methods thus potentially allow the user to input irrelevant or useless filtering ranges that do not apply to the file object set, unlike Applicant's invention. Despite the advantages of Applicant's ranges of claim 13, De Vorchik fails to disclose or suggest such ranges.

Therefore, the invention of claim 13 is not obvious in view of De Vorchik.

Claim 25 recites:

25. The method of claim 14 wherein the different ranges of values for the selectable items in the menu are based on actual ranges of the selected characteristic of the file objects being filtered.

Claim 25 is patentable over De Vorchik for reasons similar to those argued above for claim 13, since De Vorchik does not disclose or suggest different ranges of values for the selectable items in a menu are based on actual ranges of the selected characteristic of the file objects being filtered. The arguments made above apply with full force and effect to dependent claim 24, because dependent claims incorporate the limitations of the independent claims. In addition, for example, claim 24 is further patentable over De Vorchik since this reference does not disclose or suggest the different ranges of values for the selectable items are determined between the highest and lowest values of the selected characteristic in the file objects being filtered.

Claims 35, 45, 52, and 59 recite similar features as claims 13 and 25 and are patentable over De Vorchik for reasons similar to those explained above for claims 13 and 25. The arguments made for claims 35, 45, 52, and 59 apply with full force and effect to dependent claims 51, 58, 60, and 63 because dependent claims incorporate the limitations of the independent claims, and thus claims 44 and 57 are patentable over De Vorchik. In addition, for example, claims 51, 58, 60, and 63 are further patentable over De Vorchik as similarly argued above for claim 24.

Consequently, De Vorchik cannot teach or suggest the method recited in claims 13,

24, 25, 35, 45, 51, 52, and 58-60. Accordingly, Appellant respectfully requests that the Board reverse the final rejection of these claims.

2. The De Vorchik Reference Does Not Teach or Suggest Claims 61, 62, and 64-66

Claim 61 recites:

> 61. The method of claim 13 wherein the different ranges of values for the selectable items are based on the distribution of the actual values of the associated characteristic in the file object set, wherein the different ranges are evenly divided between two extreme values that surround at least some of the actual values of the associated characteristic.

Claim 61 is separately patentable over De Vorchik. De Vorchik does not disclose or suggest that different ranges of values for selectable items are based on the distribution of the actual values of the associated characteristic in the file object set, wherein the different ranges are evenly divided between two extreme values that surround at least some of the actual values of the associated characteristic.

The Examiner states that it would be obvious to include different ranges evenly divided between two extreme values that surround at least some of the actual values of the associated characteristics because, given a range of values that have upper and lower extreme limits, one would want to be able to filter using any range of values within the limited range, so as to get the greatest use out of the filter.

However, nothing De Vorchik discloses or suggests providing any ranges based on the actual values being filtered, as argued above with respect to claim 13. The use of different ranges based on the distribution of the actual values in the file object set is even further from anything De Vorchik discloses or suggests. In addition, the use of evenly-divided ranges between two extreme values is similarly not disclosed or suggested by De

Vorchik.

Applicant's recited ranges based on the distribution of actual values, and/or the recited evenly-divided ranges, are not obvious from a desire to filter using any range of values within the limited range. This is because one could filter using any range of values by, for example, setting up predetermined sizes of ranges of values that cover the entire range of values. Such ranges would not be the evenly-divided ranges recited by claim 61.

Therefore, the invention of claim 61 is not obvious in view of De Vorchik.

Claims 62 and 64-66 recite similar features as claim 61 and are patentable over De Vorchik for reasons similar to those explained above for claim 61.

Consequently, De Vorchik cannot teach or suggest the method recited in claims 61, 62, and 64-66. Accordingly, Appellant respectfully requests that the Board reverse the final rejection of these claims.

Conclusion

For all the foregoing reasons, it is respectfully submitted that claims 1-3, 5-15, 18-27, 29-37, 39-48, 50-53, and 55-66 are patentable. Accordingly, Appellant respectfully asks the Board to reverse the Examiner's rejection of the claims of the present invention and find each of these claims allowable.

Note: Appellant's APPENDIX sections are contained on separate sheets following the signatory portion of this Appeal Brief.

Please charge any fee that may be necessary for the continued pendency of this application to Deposit Account No. 50-0563 (IBM).

Respectfully submitted,

SAWYER LAW GROUP LLP

April 22, 2008
Date

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VIII. CLAIMS APPENDIX

1. (Previously presented) A method for using filtering criteria in the display of file objects in a graphical user interface (GUI), the method comprising:

displaying a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects;

receiving the user input from a user to at least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects; and

filtering the display of the file objects in the file object set according to the user input and the at least one selected item.

2. (Original) The method of claim 1 wherein the user input includes an initial selection by the user of a label object displayed in the GUI and associated with a particular characteristic of the file objects.

3. (Previously presented) The method of claim 2 wherein a menu including the plurality of selectable items is displayed after the initial selection of the label object.

4. (Cancelled)

5. (Original) The method of claim 3 wherein the particular characteristic of the file objects is the size of the file objects.

6. (Original) The method of claim 3 wherein the particular characteristic of the file objects is the date the file objects were created.

7. (Original) The method of claim 3 wherein the particular characteristic of the file objects is the date the file objects were last modified.

8. (Original) The method of claim 2 wherein an input field is displayed after the initial selection of the label object, wherein the input field is operative to accept text input describing one or more filtering criteria.

9. (Previously presented) The method of claim 3 wherein an input field is displayed after the initial selection of the label object, the input field being operative to accept text input describing one or more filtering criteria, and wherein the input field displays a text description equivalent to the at least one selected item of the menu selected by the user.

10. (Original) The method of claim 2 wherein the label object is a column heading object associated with a column in which information concerning a particular file object characteristic is displayed.

11. (Original) The method of claim 3 wherein the selectable items in the displayed menu are based on the particular label object that was selected.

12. (Previously presented) The method of claim 11 wherein the different ranges of

values for the selectable items are based on values of a characteristic of the file objects of the file object set, wherein the characteristic is associated with the selected label object.

13. (Previously presented) The method of claim 1 wherein the different ranges of values for the selectable items are based on actual ranges of an associated characteristic of the file objects of the file object set.

14. (Previously presented) A method for using filtering criteria in the display of file objects in a graphical user interface (GUI), the method comprising:

receiving a selection from a user of a characteristic of the file objects displayed in the GUI;

displaying a menu of selectable filtering criteria for the selected characteristic, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display; and

filtering the display of the file objects according to the filtering criteria selected by the user as applied to the characteristic of the file objects.

15. (Original) The method of claim 14 wherein the file objects are displayed in a navigation window of the GUI.

16. (Cancelled)

17. (Cancelled)

18. (Original) The method of claim 15 wherein the characteristic of the file objects is the size of the file objects.

19. (Original) The method of claim 15 wherein the characteristic of the file objects is the date the file objects were created.

20. (Original) The method of claim 15 wherein the characteristic of the file objects is the date the file objects were last modified.

21. (Original) The method of claim 15 wherein the characteristic of the file objects is the date the file objects were last accessed.

22. (Previously presented) The method of claim 15 wherein the selection of the characteristic is a selection of a label object labeling the characteristic, and wherein the label object is a column heading object associated with a column in which information concerning a particular file object characteristic is displayed.

23. (Previously presented) The method of claim 15 wherein the selectable items in the displayed menu are based on the particular label object that was selected, and wherein the different ranges of values for the selectable items are based on values of a characteristic of the file objects being filtered, wherein the characteristic is associated with the selected label object.

24. (Previously presented) The method of claim 25 wherein the different ranges of

values for the selectable items are determined between the highest and lowest values of the selected characteristic in the file objects being filtered.

25. (Previously presented) The method of claim 14 wherein the different ranges of values for the selectable items in the menu are based on actual ranges of the selected characteristic of the file objects being filtered.

26. (Previously presented) A computer readable medium including program instructions to be implemented by a computer, the program instructions allowing filtering criteria to be applied in the display of file objects in a graphical user interface (GUI), the program instructions implementing steps comprising:

displaying a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects;

receiving the user input from a user to at least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects; and

filtering the display of the file objects in the file object set according to the user input and the at least one selected item.

27. (Original) The computer readable medium of claim 26 wherein the user input includes an initial selection by the user of a label object displayed in the GUI and associated with a particular characteristic of the file objects.

28. (Cancelled)

29. (Previously presented) The computer readable medium of claim 28 wherein the particular characteristic of the file objects is one of the following: the size of the file objects, the date the file objects were created, the date the file objects were last modified, and the date the file objects were last accessed.

30. (Original) The computer readable medium of claim 27 wherein an input field is displayed after the initial selection of the label object, wherein the input field is operative to accept text input describing one or more filtering criteria.

31. (Previously presented) The computer readable medium of claim 27 wherein an input field is displayed after the initial selection of the label object, wherein the input field is operative to accept text input describing one or more filtering criteria, and wherein the input field displays a text description equivalent to the at least one selected item selected by the user.

32. (Original) The computer readable medium of claim 27 wherein the label object is a column heading object associated with a column in which information concerning a particular file object characteristic is displayed.

33. (Previously presented) The computer readable medium of claim 27 wherein a menu including the plurality of selectable items is displayed after the initial selection of the label object, and wherein the selectable items in the displayed menu are based on the particular label object that was selected.

34. (Previously presented) The computer readable medium of claim 33 wherein the different ranges of values for the selectable items are based on values of a characteristic of the file objects of the file object set, wherein the characteristic is associated with the selected label object.

35. (Previously presented) The computer readable medium of claim 26 wherein the different ranges of values for the selectable items are based on actual ranges of an associated characteristic of the file objects of the file object set

36. (Previously presented) A system for providing filtering criteria in the display of file objects in a graphical user interface (GUI), the system comprising:

a mechanism that displays a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects present in a file object set that is being filtered for display of the file objects;

a mechanism that receives the user input from a user to at least one selected item of the selectable items to describe one or more filtering criteria for the display of the file objects; and

a mechanism that filters the display of the file objects in the file object set according to the user input and the at least one selected item.

37. (Original) The system of claim 36 wherein the user input includes an initial selection by the user of a label object displayed in the GUI and associated with a particular characteristic of the file objects.

38. (Cancelled)

39. (Previously presented) The system of claim 37 wherein the particular characteristic of the file objects is one of the following: the size of the file objects, the date the file objects were created, the date the file objects were last modified, and the date the file objects were last accessed.

40. (Original) The system of claim 37 wherein an input field is displayed after the initial selection of the label object, wherein the input field is operative to accept text input describing one or more filtering criteria.

41. (Previously presented) The system of claim 37 wherein an input field is displayed after the initial selection of the label object, wherein the input field is operative to accept text input describing one or more filtering criteria, and wherein the input field displays a text description equivalent to any items selected by the user.

42. (Original) The system of claim 37 wherein the label object is a column heading object associated with a column in which information concerning a particular file object characteristic is displayed.

43. (Previously presented) The system of claim 37 wherein a menu of a plurality of items are displayed after the initial selection of the label object, and wherein the selectable items in the displayed menu are based on the particular label object that was selected.

44. (Previously presented) The system of claim 43 wherein the different ranges of values for the selectable items are based on values of a characteristic of the file objects of the file object set, wherein the characteristic is associated with the selected label object.

45. (Previously presented) The system of claim 36 wherein the different ranges of values for the selectable items are based on actual ranges of an associated characteristic of the file objects of the file object set.

46. (Previously presented) A computer readable medium including program instructions to be implemented by a computer, the program instructions allowing filtering criteria to be applied in the display of file objects in a graphical user interface (GUI), the program instructions implementing steps comprising:

receiving a selection from a user of a characteristic of the file objects displayed in the GUI;

displaying a menu of selectable filtering criteria for the selected characteristic, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display; and

filtering the display of the file objects according to the filtering criteria selected by the user as applied to the characteristic of the file objects.

47. (Original) The computer readable medium of claim 46 wherein the file objects are displayed in a navigation window of the GUI.

48. (Previously presented) The computer readable medium of claim 47 wherein the characteristic of the file objects is one of the following: the size of the file objects, the date the file objects were created, the date the file objects were last modified, and the date the file objects were last accessed.

49. (Cancelled)

50. (Previously presented) The computer readable medium of claim 47 wherein the selectable items in the displayed menu are based on the particular label object that was selected, and wherein the different ranges of values for the selectable items are based on values of a characteristic of the file objects being filtered, wherein the characteristic is associated with the selected label object.

51. (Previously presented) The computer readable medium of claim 52 wherein the different ranges of values for the selectable items are determined between the highest and lowest values of the selected characteristic in the file objects being filtered.

52. (Previously presented) The computer readable medium of claim 46 wherein the different ranges of values for the selectable items in the menu are based on actual ranges of the selected characteristic of the file objects being filtered.

53. (Previously presented) A system for implementing filtering criteria in the display of file objects in a graphical user interface (GUI), the system comprising:

means for receiving a selection from a user of a characteristic of the file objects displayed in

a navigation window of the GUI;

means for displaying a menu of selectable filtering criteria for the selected characteristic, wherein the selectable filtering criteria includes a plurality of selectable items responsive to user input, wherein each of the selectable items describes a different filtering criterion and corresponds to a different range of values, and wherein the different ranges of values for the selectable items are based on the file objects that are being filtered for display; and

means for filtering the display of the file objects according to the filtering criteria selected by the user as applied to the characteristic of the file objects.

54. (Cancelled).

55. (Previously presented) The system of claim 53 wherein the characteristic of the file objects is one of the following: the size of the file objects, the date the file objects were created, the date the file objects were last modified, and the date the file objects were last accessed.

56. (Previously presented) The system of claim 53 wherein the characteristic is provided as a label object that is a column heading associated with a column in which information concerning the file object characteristic is displayed, wherein the selectable items in the displayed menu are based on the particular label object that was selected.

57. (Previously presented) The system of claim 56 wherein the different ranges of values for the selectable items are based on values of a characteristic of the file objects of the file object set, wherein the characteristic is associated with the selected label object.

58. (Previously presented) The system of claim 59 wherein the different ranges of values for the selectable items are determined between the highest and lowest values of the selected characteristic of the file objects being filtered.

59. (Previously presented) The system of claim 53 wherein the different ranges of values for the selectable items in the menu are based on actual ranges of the selected characteristic of the file objects being filtered.

60. (Previously presented) The method of claim 13 wherein the different ranges of values for the selectable items are determined between the highest and lowest values of the associated characteristic in the file object set.

61. (Previously presented) The method of claim 13 wherein the different ranges of values for the selectable items are based on the distribution of the actual values of the associated characteristic in the file object set, wherein the different ranges are evenly divided between two extreme values that surround at least some of the actual values of the associated characteristic.

62. (Previously presented) The method of claim 25 wherein the different ranges of values for the selectable items are based on the distribution of the actual values of the selected characteristic in the file objects being filtered, wherein the different ranges are evenly divided between two extreme values that surround at least some of the actual values of the selected characteristic.

63. (Previously presented) The computer readable medium of claim 35 wherein the different ranges of values for the selectable items are determined between the highest and lowest values of the associated characteristic in the file object set.

64. (Previously presented) The computer readable medium of claim 35 wherein the different ranges of values for the selectable items are based on the distribution of the actual values of the associated characteristic in the file object set, wherein the different ranges are evenly divided between two extreme values that surround at least some of the actual values of the associated characteristic.

65. (Previously presented) The computer readable medium of claim 45 wherein the different ranges of values for the selectable items are based on the distribution of the actual values of the selected characteristic in the file object set, wherein the different ranges are evenly divided between two extreme values that surround at least some of the actual values of the selected characteristic.

66. (Previously presented) The system of claim 52 wherein the different ranges of values for the selectable items are based on the distribution of the actual values of the selected characteristic in the file objects to be filtered, wherein the different ranges are evenly divided between two extreme values that surround at least some of the actual values of the selected characteristic.

IX EVIDENCE APPENDIX

(None)

X RELATED PROCEEDINGS APPENDIX

(None)